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EXTRAORDINARY

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PART II—Section 1

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Separate paging is given to this Part in order that it may be filed as a separate compilation.

MINISTRY OF LAW AND JUSTICE (Legislative Department)

New Delhi, the 14th November, 1990/Kartika 23, 1912 (Saka)

The following President's Act is published for general information:—

THE PUNJAB AGRICULTURAL PRODUCE MARKETS (SECOND AMENDMENT) ACT, 1990

No. 6 of 1990

Enacted by the President in the Forty-first Year of the Republic of India.

An Act further to amend the Punjab Agricultural Produce Markets Act, 1961.

24 of 1987. In exercise of the powers conferred by section 3 of the Punjab State Legislature (Delegation of Powers) Act, 1987, the President is pleased to enact as follows:—

1. (1) This Act may be called the Punjab Agricultural Produce Markets (Second Amendment) Act, 1990.

(2) It shall come into force at once.

Punjab Act
23 of
1961.

2. In the Punjab Agricultural Produce Markets Act, 1961 (herein after referred to as the principal Act), in section 3, in sub-section (8), in the proviso, for the words "three years and six months", the words "four years" shall be substituted.

Short title
and
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cement.

Amend-
ment of
section 3.

Amend-
ment of
section
12C.

3. In section 12-C of the principal Act, in the proviso, for the words "three years", the words "three years and six months" shall be substituted.

R. VENKATARAMAN,
President.

V. S. RAMA DEVI,
Secy. to the Govt. of India.

Reasons for the enactment

The Market Committees in the State, nominated in accordance with the provisions of the Punjab Agricultural Produce Markets Act, 1961, were not representative bodies and were not serving the best interests of the State due to party faction and gross mismanagement. By the Punjab Agricultural Produce Markets (Amendment) Act, 1987 (President's Act 3 of 1987), the nominated Market Committees in the State were superseded and the State Government officers were appointed as Administrators to perform the functions of the Market Committees and their Chairman, etc., for a period of one year, that is to say, up to the 16th November, 1988, and further extended from time to time up to the 15th November, 1990. Under the circumstances prevailing in the State, it is not possible to hold elections to the Market Committees and it is, therefore, proposed to amend the Punjab Agricultural Produce Markets Act, 1961 to enhance the period of reconstitution of the said Committees by six more months.

2. The Punjab State Agricultural Marketing Board constituted under section 3 of the Punjab Agricultural Produce Markets Act, 1961, was suspended by the State Government with effect from the 19th June, 1987, under the powers conferred on it by sub-section (8) of section 3 of the Act and the Financial Commissioner Development and Secretary to Government, Department of Agriculture, Punjab was appointed to exercise the functions of the Board and its Chairman till such time as the new Board is constituted. Originally, the Board had to be constituted within six months from the date of its suspension. However, keeping in view the prevailing circumstances in the State of Punjab and to ensure administrative pattern conducive to the requirements under the said circumstances, it was considered necessary to enhance the period of constitution of the said Board from time to time. This period comes to an end on the 18th December, 1990. The circumstances which led to the passing of President's Act 4 of 1990 remain unchanged. Further, a comprehensive administrative reorganisation of the Board is being undertaken to prevent the recurrence of the circumstances leading to its suspension.

3. The Government have, therefore, decided to enhance the period of constitution of the Agricultural Marketing Board from three years and six months to four years and the reconstitution of the Market Committees from three years to three years and six months by amending section 3 and section 12-C, respectively, of the Punjab Agricultural Produce Markets Act, 1961, suitably for this purpose.

4. Parliament has under article 357 (1) (a) of the Constitution conferred on the President the power of the legislature of the State of Punjab to make laws *vide* the Punjab State Legislature (Delegation of Powers) Act, 1987 (24 of 1987).

5. Under the proviso to sub-section (2) of section 3 of the Punjab State Legislature (Delegation of Powers) Act, 1987, the President shall, before enacting any President's Act, whenever he considers it practicable to do so, consult the Committee constituted for the purpose consisting of the Members of both the Houses of Parliament. In view of the urgency of the matter, it is not practicable to consult the Committee. This Bill is, accordingly, being enacted without reference to the Committee.

S. R. SANKARAN,

Secretary to the Govt. of India,

Ministry of Agriculture

(Department of Rural Development).